



DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
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REPLY TO
ATTENTION OF

Programs and Project Management Division
Environmental Resources Section

OCT 13 2000

Received

Charles E. Findley, Acting Regional Administrator
U.S. Environmental Protection Agency
1200 Sixth Avenue
Seattle, Washington 98101

OCT 17 2000
Community Relations
and Outreach Unit

Dear Mr. Findley:

Thank you for the opportunity to review your study of the Lower Duwamish Waterway site relevant to its inclusion on the National Priorities List (NPL). Thank you also for the extension of the comment period to October 16, 2000. Members of my staff attended the additional public meeting on October 4, 2000.

We have two issues, which we request you consider as your study progresses:

- Our civil works and regulatory interests in the lower Duwamish are broad. I believe Seattle District should be involved in the NPL Study so we can contribute our resources to determine how our programs might influence or be influenced by NPL decisions.
- Much of our Duwamish navigation channel is at or below State Sediment Quality Standards (SQS). The NPL Study should consider excluding the navigation channel from the turning basin north to the First Avenue South Bridge.

Corps responsibility and interests in this area are varied and interrelated. Specifically, we:

- Have regular maintenance dredging responsibilities for the Duwamish Waterway to maintain a Federally authorized channel.
- Have projects in various stages of completion under our planning programs. One area of concern here is that hazardous substances must be remediated before our projects may proceed.
- Are currently consulting with your agency through Interagency Agreements at existing Duwamish sites (both sediment NPL sites and non-NPL areas).
- Have regulatory responsibility for Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act for actions not related to or within the NPL site.
- Have similar Native American Trust and government-to-government coordination responsibilities to the Muckleshoot and Suquamish Tribes.

Our civil works and regulatory interests suggest that Seattle District should be intensively involved in the NPL study. As a participant, we would contribute resources and expertise to analysis of what an NPL listing would mean to our programs, including execution of corrective measures. My staff has begun intense interaction with yours to explore these opportunities.

Maintenance of the navigation channel in the NPL study area is of immediate concern. The lower Duwamish for listing purposes is defined as an area, bank to bank, from the head of our channel down to Harbor Island. This includes areas for which we have sampled sediments, passed the Puget Sound Dredge Disposal Analysis (PSDDA) test for open water disposal and dredged for many years, and that we plan on dredging in the near



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future. This includes PSDDA low-ranked sediments of the upstream turning basin. Our regulations restrict maintenance dredging at NPL sites, so a listing could require us to cease maintenance dredging to maintain safe navigation and eliminate an economical source of clean capping material.

The upstream turning basin acts as a settling basin, trapping sediments before they get downstream. If this basin was not dredged, more sediments would move into the contaminated areas and "hot spots" next to the channel where they probably could not pass open-water disposal testing. The volume of sediment for NPL cleanup would increase as a result.

Our assessment shows your data are consistent with those routinely collected within the navigation channel for the Duwamish River under the Dredged Material Management Program (DMMP). The data generally show that the navigation channel sediment quality from the turning basin north to the 16th Avenue Bridge is at or below SQS.

Data presented in the Inspection Report show most sediments within the navigation channel north of the 16th Avenue Bridge to the First Avenue Bridge are generally below the CSL level but do have SQS exceedences of some chemicals (PCBs, TBT, PAHs). This is consistent with past DMMP characterizations.

Seattle District would very much appreciate the opportunity to be involved in your NPL process. We see our participation as significantly contributing to the project definition and execution. In light of the work we have been doing for EPA, I believe a review of how to minimize potential conflict of interests would also be helpful. Please feel free to contact me at (206) 764-3690 if you have questions or need further information. My staff point of contact is Mr. Larry Scudder at (206) 764-6568.

Sincerely,



Ralph H. Graves
Colonel, Corps of Engineers
District Engineer

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